

STATE OF MINNESOTA)
) ss. AFFIDAVIT OF NATHAN BOYER
COUNTY OF HENNEPIN)

1. I am a “federal law enforcement officer” within the meaning of Federal Rule of Criminal Procedure 41(a)(2)(C), that is, a government agent engaged in enforcing the criminal laws and duly authorized by the Attorney General to request a search warrant. I have been a Special Agent with The Bureau of Alcohol, Tobacco, Firearms, and Explosives (“ATF”) since June of 2018. As an ATF Special Agent, I attended and successfully completed the Criminal Investigator Training Program at the Federal Law Enforcement Training Center in Glynco, Georgia. I also successfully completed the ATF Special Agent Basic Training Program. I have been trained to conduct state and federal criminal investigations. I work as an ATF special agent in the Saint Paul Field Division, Group IV. I am currently assigned to the Minneapolis Police Department Homicide Unit. My duties include, but are not limited to, the investigation of violations of the federal firearms, arson, explosives laws, and other federal laws and regulations of the United States of America. In connection with my official ATF duties, I investigate criminal violations of federal firearms and narcotics laws.

2. This affidavit is submitted for the limited purpose of establishing probable cause in support of issuing a complaint and arrest warrant for James

William TURNER for unlawful possession of ammunition, in violation of Title 18, United States Code, Section 922(g)(1) and 924(a)(8).

3. This affidavit is based on my personal knowledge, as well as information I have learned from other law enforcement officers and the review of reports, written materials, and recordings. This affidavit does not include all of the details I have learned regarding this investigation. Rather, it only includes information believed to be sufficient to establish probable cause.

PROBABLE CAUSE

4. Just after midnight on January 1, 2024, officers of the Minneapolis Police Department were dispatched to a report of a shooting at a residence at 23xx Bryant Avenue North in Minneapolis, Minnesota (hereinafter the Subject Premises). A woman with the initials S.R. stated that shots had been fired outside the residence and a round had struck S.R.'s 11-year-old daughter in the face.

5. Officers found S.R.'s daughter, whose initials are L.W., at the scene with a visible wound on the right side of her face. L.W. stated that she was sitting in her second-story bedroom when she heard gunshots outside the residence at approximately midnight. She went to her window to observe when a round came through the window and hit her in the face. Officers entered L.W.'s bedroom and observed a bullet hole in the east-facing window of the room, along with apparent bloodstains throughout the room.

6. Officers took an additional statement from S.R. in the afternoon of January 1, 2024 at Hennepin County Medical Center (HCMC) where she was attending to her daughter. S.R. stated that she heard gunshots just after midnight and yelled to her children upstairs to get away from the windows, but L.W. had already been struck with a shot.

7. Officers obtained a Snapchat video of Turner that they believe was filmed just prior to the shooting. Officers viewed the video, in which TURNER is wearing a black North Face coat and is standing in front of a residence with a white stucco façade. Officers were able to determine TURNER was in the yard outside a residence at the Subject Premises. L.W.'s east-facing bedroom window overlooks this location. Throughout the two-minute video, TURNER argues with an unknown individual; he then turns the camera to the driver compartment of a nearby vehicle to display an AR-style rifle lying across the driver seat.

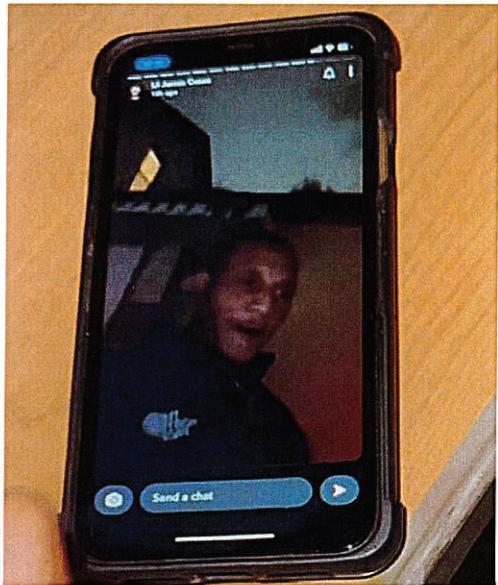


Fig. 1: The Snapchat video showing TURNER outside the Subject Premises.



Fig. 2: The Snapchat video showing the AR-style rifle.

8. A neighbor provided officers with doorbell surveillance video from 12:00.11 on January 1 that captured the shooting. In the video, a male wearing a black coat is standing at the Subject Premises where he fires a rifle multiple times at a shallow angle to the northwest, in the direction of L.W.'s bedroom window.



Fig. 3: Surveillance video.

9. Officers examined the area outside the Subject Premises and found eight live cartridges and 24 discharged cartridge casings (DCCs) throughout the boulevard, sidewalk, and yard. The live cartridges and DCCs were all found to be .223 caliber PMC rounds. Several bullet strikes were observed in the boulevard nearby.



Fig. 4: Headstamp of one of the live .223 caliber PMC cartridges.

10. I have consulted with an ATF Interstate Nexus Expert, who has made a preliminary determination that the PMC ammunition was not manufactured in the State of Minnesota. As a result, the ammunition had to travel in interstate and/or foreign commerce prior to arriving in the State and District of Minnesota on January 1, 2024.

11. TURNER was arrested by Minneapolis Police on January 3, 2024. After rights advisement and waiver, TURNER admitted that he was at the Subject Premises on the night of the shooting. When shown the Snapchat video of the rifle, TURNER claimed it belonged to a friend, whom he refused to identify. TURNER also stated, "I shot the gun in the grass. Yeah, I did that."

12. A review of TURNER's Minnesota criminal history indicates that, prior to January 1, 2024, he had been convicted of the following crimes, which were punishable by a term of imprisonment exceeding one year:

Offense	Place of Conviction	Date of Conviction (On or About)
Domestic Assault (Strangulation)	Ramsey County, MN	August 1, 2019
Assault in the Second Degree	Anoka County, MN	July 17, 2023

13. TURNER has received sentences in excess of one year (stayed) and therefore knew he had been convicted of at least one crime punishable by imprisonment for a term exceeding one year.

14. Based on the information set forth above, there is probable cause to believe that the Defendant, James William TURNER, violated Title 18, United States Code, Section 922(g)(1) and 924(a)(8), by possessing ammunition as a felon.

Further your Affiant sayeth not.



Nathan Boyer
Special Agent, ATF

SUBSCRIBED and SWORN before me
by reliable electronic means via FaceTime
and email pursuant to Fed. R. Crim. P. 41(d)(3) on
January 8, 2024:



DULCE J. FOSTER
UNITED STATES MAGISTRATE JUDGE
DISTRICT OF MINNESOTA